



4. The Promissory Note provides that, in the event of a default by Hazan, Fife is entitled to “any reasonable legal fee and disbursements incurred by [Fife] in the enforcement or protection of any of his rights under any of this Note.” (Brief for Damages, Costs, and Fees, Ex. A, Promissory Note ¶ 10(e)).

5. As of March 7, 2008, Fife has incurred a total of \$10,317.65 in attorneys’ fees and costs in attempting to collect on the Promissory Note, in his filing of the Complaint, and in the motion for Default Judgment. The costs incurred by Fife relate to filing costs, the costs of service, and other costs incurred during the enforcement of the Promissory Note. These fees and costs are in addition to those invoiced by the Logan Law Firm.

6. Attached as Exhibit 1 to this Affidavit is a copy of the billing report showing the billed and unbilled fees and costs for services performed by Wildman and billed to Plaintiff with respect to this Action, commencing November 12, 2007 and continuing through March 7, 2008. These records were kept and maintained by Wildman in the regular course of its business, and it is the regular business practice of Wildman to keep and maintain such records. The information contained in this billing report was derived from Wildman’s computer billing system. The information contained in that system is input into the system by Wildman employees whose job it is to input such information, shortly after the time of the occurrence, and is taken from timesheets prepared by the attorney or other billing person on or about the time of the occurrence, based upon their own personal knowledge. It is Wildman’s policy and practice to input time and expense entries promptly after the time or expenses are incurred. The information contained in Wildman’s computer system and set forth in the attached billing

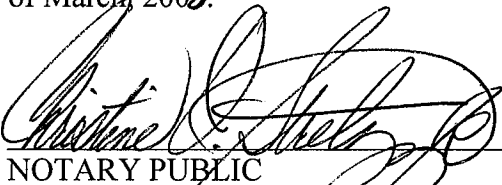
report is made and maintained by Wildman in the regular course of its business, and it is the regular business practice of Wildman to keep and maintain such records.

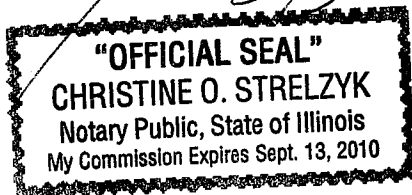
7. These fees and costs have been reasonably incurred in the course of providing legal service with respect to the enforcement of the Promissory Note.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
E. Timothy Walker

Subscribed and sworn to before me this 13<sup>th</sup> day  
of March, 2008.

  
\_\_\_\_\_  
NOTARY PUBLIC



# **EXHIBIT 1**

DATE: 03/12/08 PROFORMA STATEMENT AS OF 03/12/08 FOR FILE ( F3115.00002 ) F3115.00002 PROFORMA # Page 1 (1)

WILDMAN, HARROLD, ALLEN & DIXON  
DETAILED BILLING REPORT

BILLING ATTORNEY: 0241 ALAN B. ROTH  
CLIENT F3115 MR. AND MRS. JOHN FIFE

FLOOR #: 26 (RUN 03/12/08 ) THRU 03/12/08  
PROFORMA JOINT GROUP #

MATTER F3115.00002 JOHN FIFE VS. ALEX HAZAN

LAST DATE BILLED 02/29/08 DATE BILLED THRU 01/31/08  
BILL CYCLE: M ARRANGEMENT: HOURLY

PRACTICE GROUP: L LITIGATION

REVENUE TYPE: 3521 COMMERCIAL LITIGATION

\*\*\*ATTORNEY TO ATTORNEY\*\*\*

CONFLICT 63336

\*\*\*PROFESSIONAL SERVICES\*\*\*

INDEX	DATE	DESCRIPTION OF PROFESSIONAL SERVICES	HOURS WORKED	ATTY NO.	ATTORNEY NAME	TIME VALUE THIS PERIOD	RUNNING TOTAL
6089351	11/12/07	(Alex Hazan matter) Analyze promissory note and stock pledge agreement.	0.25	1462	WALKER, TIM E.	75.00	75
6090056	11/13/07	Draft complaint against Hazan relating to promissory note.	1.50	1462	WALKER, TIM E.	450.00	525
6095220	11/14/07	Draft complaint against Hazan relating to promissory note.	3.50	1462	WALKER, TIM E.	1,050.00	1,575
6095203	11/15/07	Draft complaint against Hazan relating to promissory note; draft correspondence to Mr. White discussing case strategy.	2.25	1462	WALKER, TIM E.	675.00	2,250
6096422	11/16/07	Draft complaint against Hazan relating to promissory note.	0.50	1462	WALKER, TIM E.	150.00	2,400
6099179	11/19/07	[Fife v. Hazan] Review and revise draft complaint; conference with Mr. Walker regarding proposed revisions.	0.50	0147	WHITE, CRAIG M.	262.50	2,663
6100137	11/19/07	Draft complaint against Hazan relating to breach of promissory note; draft summons for complaint for breach of contract; draft notice and waiver of summons; draft correspondence to Mr. Fife forwarding draft complaint for review and comment.	1.25	1462	WALKER, TIM E.	375.00	3,038

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## DETAILED BILLING REPORT

BILLING ATTORNEY:	0241 ALAN B. ROTH	FLOOR #	(RUN 03/12/08 )	THRU 03/12/08			
CLIENT	F3115 MR. AND MRS. JOHN FIFE	PROFORMA JOINT GROUP #					
MATTER	F3115.00002 JOHN FIFE VS. ALEX HAZAN	LAST DATE BILLED	02/29/08	DATE BILLED THRU 01/31/08			
***PROFESSIONAL SERVICES***							
INDEX	DATE	DESCRIPTION OF PROFESSIONAL SERVICES	HOURS WORKED	ATTY NO.	ATTORNEY NAME	TIME VALUE THIS PERIOD	RUNNING TOTAL
6099297	11/20/07	Draft complaint against Hazan relating to breach of promissory note; draft correspondence to Mr. Fife forwarding revised complaint for review and comment.	0.50	1462	WALKER, TIM E.	150.00	3,188
6130687	11/28/07	Draft summons and notice of appearance for Mr. White; draft notice of lawsuit and request for waiver to Mr. Hazan; prepare complaint and exhibits for filing of lawsuit against Mr. Hazan; draft correspondence to client discussing strategy and forwarding filed complaint.	2.25	1462	WALKER, TIM E.	675.00	3,863
6130646	11/29/07	Draft letter to Mr. Hazan forwarding notice of lawsuit and waiver of summons.	0.25	1462	WALKER, TIM E.	75.00	3,938
6162567	12/31/07	Draft letter to process server relating to personal service on Mr. Hazan.	0.50	1462	WALKER, TIM E.	150.00	4,088
6179328	01/02/08	Draft letter to process server relating to personal service on Mr. Hazan; draft correspondence to client relating to service of process on Mr. Hazan.	0.50	1462	WALKER, TIM E.	162.50	4,250
6186110	01/11/08	Telephone conference with process server relating to status of service on Mr. Hazan.	0.25	1462	WALKER, TIM E.	81.25	4,331
6206852	01/29/08	Appearance in federal court for initial case status; case continued for status to 2/20/08; conference with Mr. Walker regarding default judgment motion.	1.50	0147	WHITE, CRAIG M.	825.00	5,156
6215117	02/03/08	Legal research relating to sufficiency of substituted service.	0.75	1462	WALKER, TIM E.	243.75	5,400
6215181	02/04/08	Draft motion for default judgment against Mr. Hazan.	1.25	1462	WALKER, TIM E.	406.25	5,806

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## DETAILED BILLING REPORT

BILLING ATTORNEY:	0241 ALAN B. ROTH	FLOOR #	(RUN 03/12/08 ) THRU 03/12/08				
CLIENT	F3115 MR. AND MRS. JOHN FIFE	PROFORMA	JOINT GROUP #				
MATTER	F3115.00002 JOHN FIFE VS. ALEX HAZAN	LAST DATE BILLED	02/29/08	DATE BILLED THRU 01/31/08			
***PROFESSIONAL SERVICES***							
INDEX	DATE	DESCRIPTION OF PROFESSIONAL SERVICES	HOURS WORKED	ATTY NO.	ATTORNEY NAME	TIME VALUE THIS PERIOD	RUNNING TOTAL
6215091	02/05/08	Draft motion for default judgment against Mr. Hazan.	1.25	1462	WALKER, TIM E.	406.25	6,213
6215192	02/06/08	Draft motion for default judgment against Mr. Hazan; draft Notice of Motion for default judgment against Mr. Hazan.	1.50	1462	WALKER, TIM E.	487.50	6,700
6215196	02/07/08	Draft notice of motion for default judgment.	0.50	1462	WALKER, TIM E.	162.50	6,863
6215777	02/08/08	Draft motion for default judgment against Mr. Hazan; draft correspondence to client forwarding motion for default; draft letter to Mr. Hazan relating to motion for default.	0.50	1462	WALKER, TIM E.	162.50	7,025
6229487	02/19/08	Preparation for hearing on February 20, 2008 relating to status of Complaint and motion for default judgment.	1.00	1462	WALKER, TIM E.	325.00	7,350
6229678	02/20/08	Preparation for hearing relating to status of Complaint and motion for default judgment; attend hearing in Federal District Court on status of Complaint and motion for default judgment; draft correspondence to client summarizing results of hearing.	2.25	1462	WALKER, TIM E.	731.25	8,081
6231496	02/22/08	Draft correspondence to client summarizing preparation of documentation; telephone conference with Mr. Sullivan relating to preparation of damages materials.	0.25	1462	WALKER, TIM E.	81.25	8,163
6251904	03/07/08	Draft submission paper to Court relating to damages, costs, and attorneys' fees; draft affidavit of Mr. Fife relating to damages and interest calculation; draft affidavit for counsel relating to attorneys' fees incurred in enforcement of promissory note.	3.25	1462	WALKER, TIM E.	1,056.25	9,219

## DETAILED BILLING REPORT

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BILLING ATTORNEY: 0241 ALAN B. ROTH  
CLIENT F3115 MR. AND MRS. JOHN FIFEFLOOR # (RUN 03/12/08 ) THRU 03/12/08  
PROFORMA JOINT GROUP #

MATTER F3115.00002 JOHN FIFE VS. ALEX HAZAN

LAST DATE BILLED 02/29/08 DATE BILLED THRU 01/31/08

## \*\*\*PROFESSIONAL SERVICES\*\*\*

INDEX	DATE	DESCRIPTION OF PROFESSIONAL SERVICES	HOURS WORKED	ATTY NO.	ATTORNEY NAME	TIME VALUE THIS PERIOD	RUNNING TOTAL
			28.00			\$9,218.75	

## \*\*\*DISBURSEMENTS\*\*\*

INDEX	DATE	AP CHECK	CODE	BATCH #	DISBURSEMENT DESCRIPTION	AMOUNT
5472546	01/09/08	100607	SP	567625	SERVICE OF TWO SUBPOENAS ON MR. HAZAN - 01/02/08 - IT'S YOUR SERVE	160.00
5477816	01/30/08	5784	FI	570832	FILING FEE 11/28/07 ILND CM ECF AMERICAN EXPRESS	350.00
5489167	02/03/08		LE	576414	LEXIS	266.50
5482394	02/07/08		RE	573146	REPRODUCTION EXPENSE	2.40
5483655	02/15/08	607266	SE	573737	01/07/18 AND 01/14/08 ALEZ HAZAN SERV. SUMMO - IT'S YOUR SERVE	320.00
					TOTAL DISBURSEMENTS	1,098.90

## -----ATTORNEY SUMMARY-----

ATTY	STATUS	ATTORNEY NAME	-RATE-	-HOURS-	VALUE	AMOUNT TO BILL
0147	1	WHITE, CRAIG M.	550.00	1.50	825.00	
0147	1	WHITE, CRAIG M.	525.00	.50	262.50	
1462	5	WALKER, TIM E.	325.00	13.25	4,306.25	
1462	5	WALKER, TIM E.	300.00	12.75	3,825.00	
					FEES VALUE	9,218.75

## -----DISBURSEMENT SUMMARY-----

CODE	DESCRIPTION	AMOUNT
FI	FILING FEE	350.00
LE	LEXIS	266.50
RE	REPRODUCTION EXPENSE	2.40
SE	SERV. SUMMONS	320.00
SP	SUBPOENA FEE	160.00
	TOTAL DISBURSEMENTS	1,098.90